

TOWN OF CORNWALL

ZONING BOARD

May 20, 2013

MEMBERS PRESENT: LENORA RANSOM, CHAIRPERSON
 EILEEN REGAN
 WILLIAM LEE
 ARLENE ROBERTS

ALSO PRESENT: ADAM RODD, ESQ.
 ZONING BOARD ATTORNEY

ABSENT: TED DOBIAS

MEETING AGENDA:

1. Donald Mongitore - Public Hearing
2. Helene & David Aleci - Public hearing

MS. RANSOM: The May 20, 2013 meeting of the Cornwall Zoning Board of Appeals will now come to order. We have two public hearings.

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DONALD MONGITORE - PUBLIC HEARING

MS. RANSOM: The first public hearing is request of Donald A. Mongitore, 2 Hillside Cove. Notice is hereby given that the Zoning Board of Appeals of the Town of Cornwall, County of Orange, State of New York will hold a public hearing at the Town Hall, 183 Main Street, Cornwall, New York on May 20, 2013 at 7:30 p.m. or as soon, at 7:30, should say 7:00 or as soon thereafter as the matter can be heard on the application of Donald A. Mongitore relating to property located at 2 Hillside Cove and designated on the tax map as Section 1, Block 1, Lot 135. The applicant seeks an area variance to Section 158-14 (a)(4) of the Zoning Ordinance in order to construct a 24 by 36 foot three car detached garage that will be 20 feet high and project closer to the cul-de-sac of Waterview Terrace and the private road Hillside Cove than the principal building. The zoning board will at the above time and place hear all persons interested in the application. All written communication should be received by the board at or prior to the hearing. Dated: April 8, 2013 by order of the Zoning Board of Appeals, Town of Cornwall, Lenora Ransom, Chairperson. Would you like to make your presentation please?

MS. STAIKOS: My name is Mary Staikos, I'm the architect on the project and my client Donald A. Mongitore here and the notice was given to us by the building department to be 7:30 that was from them. Here are the affidavit of publication and mailing, the copies of the list and copies of all the certified and whatever return receipts that I've gotten to date. So all but three of them have come back signed.

MS. RANSOM: Okay, good.

MS. STAIKOS: So basically today we'd like to request a variance for a garage for Mr. Mongitore. There's a site plan I believe you all have a copy of it. It sits within the setbacks of the property. The only issue is that the main dwelling is here and as is on the cul-de-sac and there is a new, Hillside Cove is coming of a cul-de-sac considered to have two front yards so the garage will be between the main house and the street, the cul-de-sac, but it's not blocking the front door, the front of the house. I had a few images from the 3-D model showing how we're placing it but basically this is the cul-de-sac and Hillside Cove is coming here. The existing garage is at this location

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of the house and we're tucking the new garage into the hillside opposite the existing garage and pretty much matching the materials, the slope on the roof, the trim details and siding on the new garage, three doors on the garage, we're going to have a very similar detail on the garage doors as what's on the house existing and the sets of garage doors will be facing each other. So the new garage will be tucked into the hillside thereby minimizing the impact of the garage on the cul-de-sac because the cul-de-sac sits approximately 9 1/2 feet higher than where the garage is going to be placed. So if you would like, there's some photographs from my screen showing this in the background is the existing garage, this is the back side of the new garage and the cul-de-sac is up at this level and there's going to be some vegetative screening there. The trees that are in existence we're going to try to keep as many of them as possible but a few of them are going to have to go based on cutting into the hillside. We're also going to be relocating an existing, providing a new one, relocating an existing utility propane tank and that will become a buried tank and will be tucked into the hillside on the side of the new garage so that, you know, that utility tank will be a much more efficient tank being below grade as opposed to above grade. And I have a few other images. So again, you'll see scale wise this is the existing, this is the new and this area here is the cul-de-sac.

MS. ROBERTS: Can she come a little closer?

MS. STAIKOS: I don't know with the gate what I'm supposed to do.

MS. REGAN: When she's done maybe she can pass them around.

MS. STAIKOS: This is the existing garage and then the new garage and there will be basically facing each and using the existing driveway as the access to both sets of garage doors. And then from the Hillside Cove coming up you have the space that's between the two garages so you'll still have that when the leaves are off the trees, still have that view as you go up Hillside Cove to the lake.

MS. RANSOM: Are there going to be any windows in the garage?

MS. STAIKOS: No, just there may be some windows in the

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garage door, right?

MR. MONGITORE: Yes.

MS. RANSOM: Heat?

MS. STAIKOS: No. Just electricity, no water, it's an unheated space, purely for storing cars.

MS. RANSOM: There's already three cars, you need a six car garage?

MS. STAIKOS: Would you like to address that?

MR. MONGITORE: I'm a car collector so I have presently three but I'd like to buy some more and they need to be garaged just for personal collectible pleasure.

MS. RANSOM: You mentioned screening, are you planning to plant any additional screening? You're going to hopefully preserve what's there? What are you thinking?

MS. STAIKOS: We're thinking to preserve as many trees as we can and fill in with some additional trees in order to fill out what might have to be taken down.

MS. RANSOM: You're going to be able to see it from Hillside Cove?

MS. STAIKOS: The side view.

MS. RANSOM: Are you planning to put any foliage or trees or screening there?

MS. STAIKOS: May I approach?

MS. RANSOM: Sure.

MS. STAIKOS: This is the site plan so this is Hillside Cove and this is the driveway that stands. There are some trees in this area right now and we wouldn't be impacting those trees, it's just what's in this area here. We can provide additional trees, there are none in this area but as you climb up Hillside Cove you're quite a bit higher than this building so the more trees you add here the more you're screening the entire house.

MS. REGAN: What's this?

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MS. STAIKOS: This is just a decorative, like a door, it's reflecting what's on the existing garage. There's that motif on the existing garage so this is all shingled, cedar shingled on the existing garage and we're going to use cedar shingles on the sides and wrapping up depending on where the grades are hitting wrapping around the side and on the gable ends and the front gable so that basically reflects the same motif that's on the existing garage.

MS. ROBERTS: Am I allowed to ask?

MS. REGAN: You can ask anything.

MS. ROBERTS: Would this be storage in this area?

MS. STAIKOS: No.

MS. ROBERTS: It's going to be open?

MS. STAIKOS: No, it will be scissor tresses or it might be straight tresses, this is what we're intending to do right now, this is basically it's a fake door, it doesn't, on the existing garage it does not serve a purpose other than decoration.

MS. ROBERTS: That's fine.

MS. RANSOM: So you have no intention of making a room up here on the top?

MR. MONGITORE: No.

MS. STAIKOS: No.

MS. RANSOM: And it's going to be cut into?

MS. STAIKOS: Cut into the hillside. So the grade at this drive is approximately 350, the grade at the terrace is 359 and so this is, you know, 9 feet 4 inches higher than the driveway is at this point. So we're already screening as you can see this image we're already screening quite a lot of the garage by sinking it into the ground and then we're going to pull the contours around, this is just limitations of the model but we'll pull the contours around so we get a nice gentle wraparound of the existing garage with the grades and then plant that.

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MS. RANSOM: You're going to have a drainage issue into that driveway?

MS. STAIKOS: Not anymore so than there is right now, we're not changing this driveway at all.

MS. RANSOM: Bill, any questions?

MR. LEE: No.

MS. ROBERTS: That was my question.

MR. RODD: The highlighted area is the proposed new garage?

MS. STAIKOS: Yes, and this is a, basically this is the new garage and this would be the facade that is facing back to the house which pretty much reflects three garage doors here and this little door motif that's up in the gable end of the existing garage.

MR. RODD: What would the facade be that would be closest to the cul-de-sac?

MS. STAIKOS: So shingles and plantings.

MR. LEE: The propane tank that you're going to bury, is it going to be the same size or bigger than the existing one?

MS. STAIKOS: We're going to meet with the supplier, the gas company to determine what is going to be the proper size for the house but he's on notice that we're going to be dealing with that should we get the approval that we're going to get him out to the house and see what the proper size is going to be.

MR. LEE: Okay, not a problem.

MS. RANSOM: Is there anyone in the audience who'd like to speak to this issue? Let the record show that the map was filed with the county and the county has left it to local determination. Any other questions up here? Okay, you're welcome to stay, we may make a decision this evening.

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HELENE & DAVID ALECI - PUBLIC HEARING

MS. RANSOM: Okay, our next public hearing is on the request of David and Helene Aleci, 104 Alfred Street. We'll read the legal notice. Notice is hereby given that the Zoning Board of Appeals of the Town of Cornwall, County of Orange, State of New York will hold a public hearing at the Town Hall, 183 Main Street, Cornwall, New York on May 20, 2013 at 7:00 p.m. or as soon thereafter as the matter can be heard on the application of David and Helene Aleci relating to property located at 104 Alfred Street and designated on the tax map as Section 42, Block 1, Lot 3. The applicant seeks an area variance to Section 158-21 K(1) of the Zoning Ordinance in order to install an 18' circular above-ground pool with insufficient rear and minimum side yards. The ordinance requires a rear yard setback of 20' and a minimum side yard of 12'. The applicant proposes a rear yard of 6' and a minimum side yard of 4'. The zoning board will at the above time and place hear all persons interested in the application. All written communication should be received by the board at or prior to the hearing. Dated: April 17, 2013 by order of the Zoning Board of Appeals, Town of Cornwall, Lenora Ransom, Chairperson. Do you have your mailing?

MR. ALECI: Yes.

MS. RANSOM: Okay, please make your presentation to the board.

MRS. ALECI: We don't have an architect.

MR. ALECI: I did sketch together just a plot plan, the lot itself, the house sits directly in the center of the lot, we're looking to install an 18 foot round pool adjacent to our shed four feet from the boundary. So we're looking for a variance of from the existing boundary from 12 foot for the side to four foot and 20 foot to six foot on the rear. We chose the location because out of the entire yard the house sits in the center of the yard raised up on a slab so there's no basement so we're, our concerns were a couple. We didn't want to dig into any of the hillside of the house itself, it's not high, it's probably about five feet, maybe six feet, the yard itself because the house sits in the center of the yard if we have, if we put the pool anywhere else on the lot it starts to really constrict the area that the kids have to play. In

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addition to that the corner where you see the pool on the diagram is the only level part of the entire yard and it's the only part of the yard that really allows for any sort of pool structure if we wanted one. Around the sides in the back to the, if you're looking at the house from the road, you see the shed in the back of the lot, around to the left of the shed there's significant landscaping with large boulders that don't allow for any kind of structure to be put there either. In addition to that, any other place we decided to put a pool wouldn't allow, we would have variance issue regardless we'd have to request a variance no matter where we put it in the yard. We can't put it closer to the house because of the grading but I think in some areas it would be close enough to the boundary that we'd have to request a variance regardless at least one as many as three in some cases. The areas in back, the back corner has significant natural foliage, we have trees behind, directly behind the pool. The neighbor's shed is behind us obstructing his view to the side, we have another shed, again, if you're looking from the street on the right-hand side, you have another shed, several trees along that entire boundary all the way up to the road. There's a pine tree, it also obstructs the view from the road, I didn't mark it but it's about from the frontage to the pool 115, 120 feet, it's a good distance back from the road. And there's a pine tree that obscures the view from the road as well as the playground that's not a fixed structure so that's a fairly sizable thing. So you're looking through the road, through the pine, through the playground and an 18 foot round pool. We have spoken to both adjacent neighbors, the rear as well as the neighbor to the right 102 Alfred Street, both for many years have been gracious and we have assembled pools for as many as five years, I set up every single year and take down. This actually in my opinion would actually look nicer than taking a pool up and down, having it look a little bit in disarray from having the stakes and pools laying in supply there so we're looking for that. We asked the people there ahead of time and they both agreed to it. And I think that's it.

MRS. ALECI: We also said this location actually to put the pool here it's from anyplace that you could put it in the yard we're farther away from the neighbors than we could be even if the pool was on the other side we're kind of right in the other neighbor's back yard in this corner, it's the maximum distance from the neighboring houses.

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MR. ALECI: Both to the right in the rear and McKey (phonetic) owns this and the back left maximum distance from each house.

MS. RANSOM: Can you switch the shed and the pool?

MR. ALECI: No, the shed is fairly large and it's actually risen up for drainage, it was a Mr. Shed so it's a prefab shed, it's relatively large, I think it would incur a cost to regrade and then move the shed.

MS. RANSOM: Now I know that you mentioned, I was there the other day, looks like there's room for the pool behind the house.

MR. ALECI: Directly behind the house by the deck?

MS. RANSOM: Yes.

MR. ALECI: There's some grading but that would be right in the middle of the back year yard and restrict a lot of the play area the children have behind the house, which is where they'd primarily play with the baseball, soccer ball.

MRS. ALECI: I try to keep them behind the house, I don't like them in the front or on the sides.

MS. RANSOM: Four feet is kind of close to your property line where you're going to have splashing onto your neighbor's lawn.

MR. ALECI: We would potentially move it a foot or two but because of the nature of again with his graciousness, the nature of that back yard area, it's a very frequently used area so I know that may not be the topic but it's very recessed back in the area of the yard that we don't use much in the back corner, doesn't use a whole lot, neither does the back neighbor.

MRS. ALECI: We've been putting the quick set pools up there anyway.

MR. ALECI: With no complaints and I've asked him each year.

MS. RANSOM: If you moved the pool more in the center of the back yard and moved the playground back there, does that lessen the impact on your neighbor? I

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understand that you don't want to take up your whole back yard with the pool but I'm concerned about your neighbor being only four feet away from your pool.

MR. ALECI: Right, I think even if we moved it up to the area where the playground is I still think that a variance is necessary. It would be, it's unfortunately not a hundred percent to scale but it would move much closer to our house and again where you have some of the grading that levels out the slab that we have would start to impact that I'd be concerned about erosion.

MS. RANSOM: But you can't move the pool more into the middle here of your back yard?

MR. ALECI: Without significant regrading, no.

MS. RANSOM: Okay, so it's basically a cost factor that you want to put it in this particular area?

MR. ALECI: Cost but also the impact to the yard. Again, if we moved it up towards where the playground is a little bit we do lose a significant part of the yard. Unfortunately, we have long ball throwers, baseball throwers, it does have the impact for the use of the rest of the yard.

MS. RANSOM: I guess we're being asked to do a 14 foot rear yard variance which is a 70 percent request and a 12 or an eight foot side which is over 66 percent, that's a big request.

MR. ALECI: Understood.

MS. RANSOM: I guess I'm just asking if there's nothing else that you can do to get this a little bit farther into your yard and less on your property line.

MR. ALECI: If we potentially could but you're talking two feet, three feet, I think, I'm not sure that you're talking 12 or 20 so I believe if we did move it, it would be relatively small amounts I think before you start to have an impact either of us.

MS. RANSOM: Well, if you took some of your back yard that I understand you want to have as a play area and you don't want to grade could you put the pool there?

MRS. ALECI: Again, you're putting it kind of in a I think just aesthetically an awkward position if you

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move it, moving it closer to the house it's aesthetically, I don't know, I, I just think aesthetically that's the best location.

MR. ALECI: It would start to encroach a bit if we moved it, it would have to be a minimal amount before the yard does, we do start to impact between grading, not so sure we'd be willing to do that.

MS. RANSOM: What kind of foliage if any is between the proposed pool and the neighbors' trees?

MR. ALECI: There's arborvitaes right there now, we have a bamboo newly planted in the back as well so surrounding the pool relatively small now but they're planted.

MS. RANSOM: So are they going to be able to survive all that chlorine?

MR. ALECI: They have actually been there, good point, they've been there for several years already and, you know, so they withstood the splashing.

MS. RANSOM: Okay. Bill?

MR. LEE: Yeah, I still can't, I was over there twice, once by myself, once when I took Miss Roberts over and I just can't believe you can't move the shed over.

MRS. ALECI: Well, again, you're talking--

MR. LEE: I realize it's a Mr. Shed that put it there, Mr. Shed can move it over. That would give four foot, to me, just doesn't give enough for any type of screening whatsoever on that side, there's no screening whatsoever for that whole property line all the way out to the road.

MR. ALECI: If you move the shed over a bit then it would have an impact on the other 106 Laurel Avenue as well, I mean--

MR. LEE: You have five foot from each property line with a shed, you don't with a pool and you're six foot now which is perfectly legal.

MR. ALECI: Right, right.

MR. LEE: My only suggestion was to me making it four

foot is just too close and six foot is too close, if you were to move the shed over, if you brought it to eight foot and 10 foot the board could make a decision on that.

MR. ALECI: Yeah, it would be something I don't think we'd be able to do, it would be possible to move the pool over, I mean, there's four foot between the shed and the pool, we could abut the shed right closely and reduce the amount of variance needed.

MR. LEE: The only other comment that I would have was you have that playset right there where the pool's going to be.

MR. ALECI: That's, the playset is actually offset from the pool.

MR. LEE: Exactly but it's going to be right by it, you're going to have to make sure the kids can't climb up and all of a sudden do dare-devil dives into the pool, somebody's going to be hurt bad.

MRS. ALECI: They would never be in the pool without me being there.

MR. ALECI: We could move that down if we had to.

MR. LEE: I'm only saying it because I grew up with a kid that took a dive in the three foot section in the town pool, he's been in a wheelchair all his life so that's a safety issue.

MR. ALECI: Luckily that's not a permanent structure, we can slide that down.

MR. LEE: That's all I have.

MS. ROBERTS: I did take a little, went by your property and I had several issues. I just thought the four foot was way too close. All I can think of is that somebody and I know my husband did it, he climbed on top of his shed and jumped in his pool and to me, I looked at it and it was way too close. And also to the playground area being right there, I just felt it was just too much of a temptation for children to be there and not for even a second that you blink and they do it. And I just felt bad for your neighbor on that side, even though they gave you an okay, now people sell and then you're right on that property line and

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kids have fun and they make noise and it's perfectly legitimate to have a pool, have kids, I get that, but it's just so close. And the wood pile kind of like at that crazy angle there I just felt it was too much going on in that corner of the property.

MR. ALECI: Okay, if we moved the playground would that help?

MS. ROBERTS: In my mind, it was like do something with the playground, whatever, and move the shed and that would allow the pool to come a little bit out, a little bit away and then put extensive screening of some sort, grasses or whatever that's going to grow.

MR. ALECI: We can make the playground a non-issue, we can move that all the way down to the side of the house if we had to because it's not a permanent structure, we could move that fairly easily.

MS. RANSOM: Then is it possible to move the pool where the playground is but bring it in significantly from the boundary line?

MR. ALECI: If we did move the playground, we can probably move it back a little bit. Again, I don't think 20 or 12 feet though cause that would be again unfortunately not to a hundred percent scale but would start encroaching on a lot of the area, it really would start to encroach on the yard significantly but we, again, what would be an acceptable I guess is what I'm asking?

MS. RANSOM: I guess my concern is, you know, if there is room in the back yard without a variance for the pool then that's where it should go, regardless of, you know, I know you wanted to have a play area and if there's excavating but if you can have your pool situated on your property and meet the setbacks then that's really what's ideal.

MR. ALECI: Yeah, I think if I went to eight feet on the side or 12 feet rather on the side and then moved it out 20 then it's prohibitive for sure. I think if we had to go over a little bit on both boundaries we could reduce those to maybe 50 percent. I think that would be doable fairly easily after the discussion. Anymore than that it would start to impact the play area but we could probably go to 50 percent on the variance request.

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MS. RANSOM: Well, I mean, is there room in the middle of your back yard for the pool even though you don't want to put it there?

MR. ALECI: There may be, I'd have to take another look at it. I don't think we would want to do that, we would probably just set up again. Unfortunately, I don't think we'd want to impact the yard that much, we use it more, we use it significantly for again playing ball, things like that in the yard. Once we start moving into that larger area we're constantly throwing baseballs and footballs close to the house, things like that, it does become prohibitive and we'd probably go to quick sets, even though we didn't want to, we thought it would make the area nicer.

MS. ROBERTS: No way you can move the shed over? I don't remember what's on the part where you have TT for trees, there's no way you can move the shed at least over?

MR. ALECI: Moving it to the left, you mean?

MS. ROBERTS: Moving it to the left, correct.

MR. ALECI: Unfortunately, the same issue that's the problem with the lot, the house does sit right smack dab in the middle, only leaves strips in the back and the sides, especially with the deck doesn't leave a lot of open space for play, unfortunately for us. Which is why moving the shed almost doesn't, it helps on the side maybe a little bit but I don't think we'd be able to move it a whole lot down to the far or even really honestly even a little bit, I just don't think, I think it's cost prohibitive for us.

MS. RANSOM: Okay, Bill, any other questions or comments?

MR. LEE: No.

MS. REGAN: No.

MS. ROBERTS: No.

MS. RANSOM: Is there anyone in the audience who'd like to speak to this issue? Okay, do you have anything else you'd like to add?

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MR. ALECI: No.

MRS. ALECI: No.

MS. RANSOM: Okay, thank you.

MR. RODD: I would, just based on the comments, just to throw it out there, if you wanted to and of course it's up to the board, reconfigure the proposal and then present it to the board I suppose that's an option?

MR. ALECI: Reconfigure it how so?

MR. RODD: Well, from what I've heard, there's concerns about the substantial nature of the variance sought and whether there are alternatives available to you to reduce or perhaps eliminate the need for a variance so the board could, you know, act on what you have proposed or alternatively you could revisit the issue and provide an alternate proposal. That's your call.

MR. ALECI: Okay.

MS. RANSOM: Would you like us to act on this or would you like to come back to our June meeting with an alternate proposal?

MR. ALECI: I wish I knew, if I knew the outcome because an alternate proposal--

MS. RANSOM: I think you pretty much heard the outcome.

MR. ALECI: Right, and we don't want to go through application fees again.

MRS. ALECI: That was already \$600 just to apply, we can't do anymore.

MR. ALECI: So if you make a decision not to allow the variance then we'd have to go through the application process again?

MS. REGAN: But if you leave it open then you don't have to pay additional fees.

MS. RANSOM: Come back next month with an alternative proposal or if you can move it where you don't need a variance then you would not need to reapply but if we--

MS. REGAN: Keep your options open.

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MS. RANSOM: But if we vote tonight and you decide to come back, you'll need to reapply.

MR. ALECI: Okay.

MS. RANSOM: So shall we put you on the agenda for the June 17 meeting?

MR. ALECI: Sounds like yes.

MS. ROBERTS: Do they need to re-notice?

MS. RANSOM: No, I don't think so.

MRS. ALECI: So I need to go to The Local again?

MS. RANSOM: I don't believe so.

MR. RODD: No.

MS. RANSOM: The same public hearing is still open, we're asking you to provide us with a different proposal.

MR. ALECI: Okay.

MS. RANSOM: And if you could meet the zoning guidelines that would be better yet.

MR. ALECI: Okay.

MRS. ALECI: Alright.

MS. RANSOM: So our next meeting will be June 17.

MR. ALECI: Thank you.

MS. RANSOM: And just for the record, the county has left this decision to local determination as well.

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REGULAR MEETING:

APPROVAL OF MINUTES DATED 4/15/13

MS. RANSOM: Okay, the minutes of the April 15 meeting were just distributed today so I'm going to leave their approval to next month. Do I have a motion for the board to go into closed session to address legal issues with counsel?

MS. REGAN: So moved.

MR. LEE: Second it.

ROLL CALL

MS. REGAN	AYE
MS. ROBERTS	AYE
MR. LEE	AYE
MS. RANSOM	AYE

(Discussion was held off the record. Whereupon,
following which, these further proceedings
transpired.)

MONGITORE - DECISION

MS. RANSOM: Okay, we're being asked to approve an area variance to construct a 24 by 36 foot three car detached garage that will be 20 feet high and project closer to the cul-de-sac of Waterview Terrace and the private road of Hillside Cove than the principal building. This is an area variance, let's take the five factors one at a time. Will the variance sought produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties in the neighborhood in which the applicant's property is situated?

MS. REGAN: No, I don't think so, it's being built into a berm and it will be lower.

MS. RANSOM: And as was testified, there is natural foliage on top of the berm. Can the benefits sought by the applicant be achieved by some method feasible for the applicant other than an area variance?

MS. REGAN: No.

MS. RANSOM: No, they have kind of testified this is really the only place on the lot that it can go. And by using the, by not having to make the driveway bigger, it lessens the impact. Is the requested variance substantial? Well, it's going to protrude in front of the house but I don't think it's going to be an issue with the character of the neighborhood. As you mentioned earlier, they're going to put it into the bank, it's going to, the garage doors are going to face the current garage and there aren't going to be any windows, there's not going to be any heat, so I don't, I think that while it's a substantial request to put it in the front yard I don't think that that should carry a lot of weight.

MS. REGAN: Agreed.

MS. RANSOM: And just a point of clarification, are you going to have the garage lit?

MS. STAIKOS: There will be lighting in the garage.

MR. MONGITORE: Inside.

MS. RANSOM: How about floodlighting outside the garage?

MR. MONGITORE: No because presently there's lighting on the garage of the existing house and the driveway area is not changing, it's the same area so it's already lit.

MS. RANSOM: So there won't be any floodlights on this particular structure?

MR. MONGITORE: No.

MS. RANSOM: Okay, will the proposed variance have an adverse affect or impact on the physical or environmental conditions in the neighborhood or district?

MS. REGAN: No.

MS. ROBERTS: No.

MS. RANSOM: No, I don't think so. Is the applicant's alleged difficulty in complying with applicable zoning self-created? Yes but again, I think they've done everything they can to make it fit in with the neighborhood and be pleasing as you're driving up the road. Okay, do I have a motion that this is a Type II acts under SEQRA?

MS. REGAN: So moved.

MS. ROBERTS: Second it.

ROLL CALL

MS. REGAN	AYE
MS. ROBERTS	AYE
MR. LEE	AYE
MS. RANSOM	AYE

MS. RANSOM: Do I have a motion to approve the request by Donald Mongitore relating to property located at 2 Hillside Cove granting a variance to construct a 24 by 36 foot three car detached garage that will be 20 feet high and project closer to the cul-de-sac of Waterview and the private road Hillside Cove than the principal building?

MR. LEE: So moved.

MS. REGAN: Second it.

ROLL CALL

MS. REGAN	AYE
MS. ROBERTS	AYE
MR. LEE	AYE
MS. RANSOM	AYE

MS. RANSOM: The motion's carried, okay, so we'll let the building department know tomorrow.

MS. STAIKOS: Okay, thank you very much.

MS. RANSOM: With no further business to come before the board, I'll accept a motion to adjourn.

MS. REGAN: So moved.

MR. LEE: Second it.

ROLL CALL

MS. REGAN	AYE
MS. ROBERTS	AYE
MR. LEE	AYE
MS. RANSOM	AYE

Respectfully Submitted By:

Frances Roth
Stenographer